

**CONTROLLED SUBSTANCES BOARD MEETING
AUGUST 5, 2004 – MINUTES**

MEMBERS PRESENT: Yvonne M. Bellay, DVM; Cynthia Benning, R.Ph.; Robert Block; Doug Englebert, R.Ph.; Cecilia Hillard, Ph.D.

STAFF PRESENT: Tom Ryan, DRL Bureau Director; Bill Black, DRL Board Counsel; Kevin Murphy, DRL Bureau Assistant

GUESTS: Amanda Tetzlaff, WSCL; Michael Grafton, DEA

CALL TO ORDER

Board Chair Cynthia Benning called the meeting to order at 9:00 a.m.

**THE HONORABLE ATTORNEY GENERAL PEGGY LAUTENSCHLAGER – BOARD
WELCOME AND REMARKS**

Attorney General Lautenschlager offered some brief introductory remarks, welcoming the Board to the new Wisconsin State Crime Lab and thanking them for their service.

INTRODUCTION OF CECILIA HILLARD, PHD

Dr. Hillard, who replaced Dr. Thomas Rudy, introduced herself to the Board. The Board welcomed Dr. Hillard.

APPROVAL OF AGENDA

The Board inserted two SUAs received in the Bureau after mailing of the agenda, those of Edward Blumenthal and Marie Bement, between items C and D of the agenda.

MOTION: Yvonne Bellay moved, seconded by Cecilia Hillard, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 6, 2004

Ms. Bellay noted that her official title is “DVM” and Ms. Benning noted a spelling error on page 2 of the minutes. Under the Jodi Jilek SUA review, “Engleberg” should be changed to “Englebert.”

MOTION: Doug Englebert moved, seconded by Robert Block, to approve the minutes as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Board Roster Review:

Ms. Benning noted a change in her email. Her new address is cbenning@columbia-stmarys.org. Mr. Block noted a change in address for the Crime Lab. It is now located at 4626 University Avenue.

Motion for Chair Travel to 6/9-11 Conference

MOTION: Doug Englebert moved, seconded by Cecilia Hillard, to approve Cynthia Benning's travel to the June DEA conference in Arizona. Motion carried unanimously.

Designation of Credentialing Liaison

MOTION: Doug Englebert moved, seconded by Robert Block, to appoint Yvonne Bellay and Cecilia Hillard as liaisons to DRL Credentialing Staff. Motion carried unanimously.

SUA APPLICATION NON-COMPLIANCE – DISCUSSION

Continuing a discussion from the May meeting, the Board reviewed procedure toward non-compliers. Kris Hendrickson expressed concern at the absence of a standardized response to those who do not reapply for or renew their SUAs. The Board reviewed the current renewal process and explored ways to facilitate the process for Ms. Hendrickson.

MOTION: Robert Block moved, seconded by Yvonne Bellay, to standardize the expiration/start dates for SUAs. Motion carried unanimously.

MOTION: Cecilia Hillard moved, seconded by Yvonne Bellay, for Kris Hendrickson to send a letter to non-compliers at their expiration date, notifying them of a 30 day grace period and explaining the consequences for failing to reapply within this 30 day period. Motion carried unanimously.

Bill Black agreed to work with Kris Hendrickson on the letter.

MOTION: Yvonne Bellay moved, seconded by Robert Block, to authorize Kris Hendrickson to sign SUAs on behalf of the Board. Motion carried unanimously.

**SPECIAL USE AUTHORIZATION REVIEW – RONALD H. LAESSIG, WISCONSIN
STATE LABORATORY OF HYGIENE**

MOTION: Robert Block moved, seconded by Yvonne Bellay, to approve the application, but the applicant must submit an annual inventory at the time of reapplication. Motion carried unanimously.

**SPECIAL USE AUTHORIZATION APPLICATION REVIEW – EDWARD
BLUMENTHAL, MARQUETTE UNIVERSITY DEPARTMENT OF BIOLOGICAL
SCIENCES**

MOTION: Cecilia Hillard moved, seconded by Robert Block, to approve the SUA application in the matter of Edward Blumenthal. Motion carried unanimously.

**SPECIAL USE AUTHORIZATION APPLICATION REVIEW – MARIE BEMENT,
MARQUETTE UNIVERSITY PHYSICAL THERAPY DEPARTMENT**

MOTION: Cecilia Hillard moved, seconded by Robert Block, to approve the SUA application in the matter of Marie Bement. Motion carried unanimously.

U.S. DEA DIVERSION CONTROL PROGRAM FINAL RULES

The Board discussed analogues and prosecutions in analogue matters. Robert Block outlined the criteria for prosecuting an analogue case. First, the analogue must be structurally similar to the controlled substance. Next, the analogue must have the same pharmacological effects as the Controlled substance, or the analogue must be represented as a controlled substance. Mr. Block then discussed the difference between a derivative and an analogue, explaining that an analogue will have similar biological effects as the controlled substance, while a derivative, though a building block of the controlled substance, will not.

Ms. Benning then explained the rule making process and the role of the scope statement.

MOTION: Robert Block moved, seconded by Cecilia Hillard, to direct Bill Black to begin writing a scope statement and to begin the scheduling process for 2CT7 and BZP. Motion carried unanimously.

INFORMATIONAL ITEMS

Noted.

DOE MONTHLY DRUG THEFT AND LOSS REPORT

Ms. Benning noted that DOE has begun providing this report to the Controlled Substances Board, as well as to the Pharmacy Board. She noted the increases in armed robberies and night break-ins at pharmacies in Wisconsin, and the large quantities of drugs stolen in these matters.

DRUG SUMMARY REPORTS

Ms. Benning stated that the drug summary data are in line with expectations. Cocaine and marijuana again show the highest number of cases. Mr. Block noted the high number of methamphetamine cases in Wausau. The Board then discussed the considerable costs to government in cleaning up seized or abandoned methamphetamine labs.

ADJOURNMENT

MOTION: Cecilia Hillard moved, seconded by Doug Englebert, to adjourn the meeting at 10:30 a.m. Motion carried unanimously.

Next Meeting November 4, 2004